

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

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) MDL No. 1456
)

) Civil Action No. 01-CV-12257-
) PBS
)

THIS DOCUMENT RELATES TO

)
) Judge Patti B. Saris
)

State of Nevada v. American Home Prods.
Corp., et al.,
D. Nev. Cause No. CV-N-02-0202-ECR

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**DEFENDANT NOVARTIS PHARMACEUTICALS
CORPORATION'S NOTICE OF FILING UNDER SEAL**

To: All Counsel of Record

Please take notice that on February 8, 2007, counsel for Defendant Novartis Pharmaceuticals Corporation caused to be filed under seal with the Clerk of the United States District Court for the District of Massachusetts the following document:

Affidavit of Samuel N. Lonergan in support of Novartis Pharmaceuticals Corporation's Motion for Summary Judgment in *State of Nevada v. American Home Prods. Corp.*, with attached exhibits.

DATED:

February 8, 2007

Respectfully submitted,

/s/ Karen F. Green

Karen F. Green, BBO # 209050
WILMER CUTLER PICKERING HALE AND
DORR LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000

Jane W. Parver (admitted *pro hac vice*)
Saul P. Morgenstern (admitted *pro hac vice*)
Samuel Lonergan (admitted *pro hac vice*)
Charles Graybow (admitted *pro hac vice*)
KAYE SCHOLER LLP
425 Park Avenue
New York, New York 10022
(212) 836-8000

Attorneys for Defendant
Novartis Pharmaceuticals Corporation

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of February, 2007, a true and accurate copy of the Memorandum in Support of Novartis Pharmaceuticals Corporation's Motion for Summary Judgment was served via the Lexis-Nexis Filing System:

DATED: February 8, 2007.

/s/ Brett Budzinski